

IN THE MATTER OF

DAVID RUSSO, P.D.

License No.: 09176

Mr. Russo

* BEFORE THE MARYLAND

* STATE BOARD

* OF PHARMACY

* Case No. PI-11-057

* * * * *

INTERIM CONSENT ORDER STAYING SUMMARY SUSPENSION

Background

On December 22, 2010, the Maryland Board of Pharmacy (the "Board") issued an Order for Summary Suspension for the pharmacist's license of David Russo, P.D. pursuant to Md. Code Ann., State Gov't § 10-226(c)(2) (2009 Repl. Vol.). The Order for Summary Suspension is incorporated by reference and attached hereto as Exhibit A. On January 5, 2011, Mr. Russo was given the opportunity to show cause as to why the Order for Summary Suspension should not be continued pursuant to COMAR 10.34.01.12. Mr. Russo attended that hearing with his counsel, and the State was represented by an administrative prosecutor. Thereafter, the Board and Mr. Russo agreed to be bound by the following terms in order to ensure that Mr. Russo does not pose an imminent threat to the public health, safety and welfare.

Order

Based on an affirmative vote of a quorum of the Board, and by consent of Mr. Russo and the Board, it is this 23 day of February, 2011, hereby:

ORDERED that the summary suspension of Mr. Russo's pharmacist license first imposed on December 22, 2010 is hereby **STAYED**, subject to the following **CONDITIONS** whereby Mr. Russo shall:

1. Not accept nor dispense any prescriptions for CDS;
2. Not engage in the practice of internet pharmacy in any capacity;
3. On a weekly basis, provide the Board with a computer-generated report of all prescriptions he dispenses;
4. Not work in any capacity in the prescription area of any pharmacy where CDS are dispensed;
5. Cooperate with the Board in its ongoing investigation of Mr. Russo and his pharmacy, Russo's Pharmacy d.b.a. Russo's Rx; and
6. Withdraw his request for an evidentiary hearing on the Order for Summary Suspension issued on December 22, 2010;

and be it further

ORDERED that this Order shall remain in effect until the Board issues a Final Order following an evidentiary hearing on any forthcoming formal charges related to the conduct alleged in the Order for Summary Suspension issued on December 22, 2010; and be it further

ORDERED that, subject to an opportunity to be heard as required by Md. Code Ann., State Gov't § 10-226(c) and COMAR 10.34.01.12, the Board shall immediately lift this stay if Mr. Russo fails to immediately and continuously comply with the conditions set forth herein or if the Board finds that the public health, safety, or welfare imperatively requires emergency action; and be it further

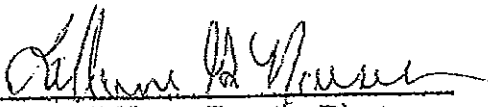
ORDERED that upon execution of this Order the Board shall return to Mr. Russo his wall certificate and wallet-sized license to practice pharmacy; and be it further

ORDERED that Mr. Russo shall be responsible for all costs incurred under this Order; and be it further

ORDERED that this is a formal order of the Maryland Board of Pharmacy and as such is a public document pursuant to the Md. Code Ann., State Gov't, § 10-617(h).

Date

2/23/2011


LaVerne G. Naesaa, Executive Director
for Michael Souranis, P.D., Board Chair

CONSENT

1. By signing this Consent, I hereby agree to be bound by the foregoing Interim Consent Order and its conditions.
2. By signing this Consent, I submit to the foregoing Interim Consent Order as a resolution of the Order for Summary Suspension issued on December 22, 2010.
3. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Interim Consent Order.
4. I sign this Interim Consent Order freely and voluntarily, aware of my right to consult with counsel.
5. I fully understand the language, meaning, and effect of this Interim Consent Order.

2/10/11
Date

David Russo
David Russo, P.D.

STATE OF MARYLAND
COUNTY/CITY OF Washington

I hereby certify that on this 10 day of Feb., 2011, before me, a
Notary Public of the State of Maryland and County/City aforesaid, personally appeared
DAVID RUSSO, P.D., and made an oath in due form that the foregoing Consent was his
voluntary act and deed.

Maria L. Werder
Notary Public
My commission expires: June 4, 2013

IN THE MATTER OF

DAVID RUSSO, P.D.

License No.: 09176

Respondent

* BEFORE THE
* STATE BOARD
* OF
* PHARMACY

* Case No. 11-057

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. State Govt. Code Ann. §10-226 (c) (2) (2009 Repl. Vol.), the State Board of Pharmacy (the "Board") hereby suspends the license to practice pharmacy in Maryland issued to David Russo, P.D., (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Health Occ. Code Ann. § 12-101, et seq., (2009 Repl. Vol.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

INVESTIGATIVE FINDINGS

1. At all times relevant hereto, the Respondent was licensed to practice pharmacy in Maryland. The Respondent was first licensed on July 16, 1979. The Respondent's license expires on July 31, 2011.
2. At all times relevant hereto, the Respondent owned and was the sole dispensing pharmacist at Russo's Pharmacy in Hagerstown, Maryland.
3. On July 7, 2010, the Division of Drug Control (DDC) Inspectors Jim Polek and Peter Smith visited Russo's Pharmacy and, during the course of the inspection interviewed the Respondent regarding the prescribing practices of

Nicola Tauraso, M. D.¹ The Respondent told the Inspectors that he was aware of the concerns regarding Dr. Tauraso's prescribing practices and that DEA investigators had also alerted him about Dr. Tauraso's prescribing practices involving Controlled Dangerous Substances (CDS). The Respondent informed the Inspectors that, although he knew that other local pharmacies had stopped filling Dr. Tauraso's prescriptions for CDS, he continued to fill them, as long as the patients were from Washington County (emphasis added). Dr. Tauraso's office is located about 25 miles away in Frederick, Maryland.

4. The DDC Inspectors obtained a profile of Dr. Tauraso's CDS prescriptions filled at the Respondent's pharmacy. From July 15, 2009 to July 21, 2010, approximately 5518 prescriptions were filled; approximately 4751 of those were filled in the first seven months of 2010. Almost all of those prescriptions were for Oxycodone, Methadone, OxyContin and Alprazolam, totaling approximately 669,857 tablets.

5. By Order dated August 12, 2010, the Board of Physicians summarily suspended Dr. Tauraso's physician's license. That summary suspension was based on, *inter alia*, a complaint by another pharmacist who had been seeing prescriptions written by Dr. Tauraso for OxyContin, a Schedule II CDS, in big dosages and quantities. In and around November 2009, the Frederick County Narcotics Task Force received additional complaints from several pharmacies regarding Dr. Tauraso's prescribing practices focusing on the excessive number of prescriptions Dr. Tauraso wrote for Schedule II CDS,

¹Dr. Tauraso was previously a pediatrician but later described his practice as "pain management," after taking a course in that subject.

including OxyContin 80 mg, and Oxycodone, often for hundreds of tablets. The vast majority of Dr. Tauraso's patients who presented the prescriptions were males in their 20s and early 30s who appeared healthy and did not appear to be in chronic pain or terminally ill, and almost all of them paid for the prescriptions in cash.

6. In late 2009, the Drug Enforcement Administration (DEA) joined the Narcotics Task Force in an investigation of Dr. Tauraso that included controlled buys by confidential sources. That investigation disclosed that, after the initial visit to Dr. Tauraso, he did not conduct examinations of them and would see patients in his office, rather than in the exam room. Dr. Tauraso stated that he had no training in drug-seeking behavior and, if he didn't supply the narcotics, patients would get them elsewhere.

7. Although the Respondent claimed that he would only fill prescriptions for Dr. Tauraso's patients if the patients were from Washington County where his pharmacy was located, the patient profile obtained by the DDC shows that the Respondent filled many prescriptions for Dr. Tauraso's patients who lived in Frederick, Allegheny, Carroll, Baltimore, Washington and Montgomery Counties, as well as those who lived in the States of West Virginia, Pennsylvania and Virginia.

8. With regard to Dr. Tauraso's patients, eight of the 16 described in his Summary Suspension Order got their prescriptions filled by the Respondent, as follows:

A. With regard to Patient A:

(1) Patient A, a female born in 1969 who lives in Frederick, Maryland, initially presented to Dr. Tauraso on October 7, 2009, complaining of pain in her lower right hip and right leg. On that initial visit, Dr. Tauraso prescribed and the Respondent dispensed Oxycodone 30 mg, 150 tabs, OxyContin 40mg, 120 tabs, and Xanax 2 mg, 60 tabs;

(2) On October 28, 2009, Dr. Tauraso documented the drugs he prescribed. Dr. Tauraso continued to prescribe OxyContin and Oxycodone to Patient A through June 2010, though his notes only consisted of a blood pressure and pulse reading;

(3) On December 23, 2009, the Respondent filled for Patient A, a prescription written by Dr. Tauraso of 150 Oxycodone, 30 mg tablets;

(4) On February 23, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient A Oxycodone 30 mg, 150 tabs and OxyContin 80mg, 90 tabs;

(5) On March 19, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient A Oxycodone 30 mg, 180 tabs;

(6) On April 14, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient A Oxycodone 30 mg, 150 tabs;

(7) On April 15, 2010, the Respondent filled a prescription for Patient A written by Dr. Tauraso, this time for OxyContin 40 mg, 90 tablets;

(8) On May 11, 2010, the Respondent filled prescriptions written for Patient A written by Dr. Tauraso: Oxycodone 30mg, 150 tabs and OxyContin 80 mg, 90 tabs.

B. With regard to Patient B:

(1) Patient B, a male born in 1970 who lived in Carroll County, initially presented to Dr. Tauraso on January 29, 2009. Dr. Tauraso noted that Patient B had "pain in back" and required OxyContin and Oxycodone. Dr. Tauraso failed to conduct and document a physical examination, but documented that Patient B had "back pain" and "drug addiction";

(2) Patient B returned to Dr. Tauraso two to three times a month through August 2009 with Dr. Tauraso's notes merely stating "refill prescription";

(3) On November 12, 2009, Dr. Tauraso prescribed and the Respondent filled for Patient B Oxycodone 15 mg, 60 tablets and OxyContin 80 mg, 60 tablets.

C. With regard to Patient C:

(1) Patient C, a male, born in 1958 who lives in Carroll County, initially presented to Dr. Tauraso on December 29, 2009 with a radiograph report that revealed anterior listhesis, a forward displacement of one of the lower lumbar vertebrae over the lower segment;

(2) The Respondent prescribed OxyContin 80 mg and Oxycodone 30 mg, unspecified quantity. Patient C returned to Dr. Tauraso for monthly visits through May 2010;

(3) Dr. Tauraso prescribed for Patient C and the Respondent filled on December 30, 2009, Oxycodone 30 mg, 180 tablets;

(4) On April 26, 2010, Dr. Tauraso prescribed and the

Respondent filled for Patient C Oxycodone 30 mg, 180 tabs and OxyContin 80 mg, 120 tabs.

D. With regard to Patient D:

(1) Patient D, a male born in 1981, initially presented to Dr. Tauraso on November 17, 2009, complaining of back pain after moving furniture. Dr. Tauraso prescribed OxyContin 40 mg and Oxycodone 30 mg, but did not specify the quantity prescribed;

(2) Patient D returned to Dr. Tauraso for monthly visits through June 2010, when "Bruno" documented in his chart that Patient D had been observed getting into a car driven by a suspected drug dealer which was also occupied by a patient whom Dr. Tauraso had previously "kicked out" of his practice. Dr. Tauraso noted "Consider OUT next time";

(3) On December 18, 2009, Dr. Tauraso prescribed and the Respondent dispensed to Patient D Oxycodone 30 mg, 120 tabs;

(4) On January 18, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient D Oxycodone 30 mg, 180 tabs and OxyContin 80 mg, 90 tabs;

(5) On February 24, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient D OxyContin 40 mg, 90 tabs and Oxycodone 30 mg, 180 tabs.

E. With regard to Patient E:

(1) Patient E, a male born in 1979, from Frederick, Maryland, initially presented to Dr. Tauraso on January 25, 2010. Dr. Tauraso

noted a car accident six months ago. Patient E's prior physician, Dr. Ziscovici, who was subsequently suspended by the Board of Physicians on December 1, 2010 for excessive drug prescribing, had prescribed OxyContin, Oxycodone and Xanax;

(2) Dr. Tauraso continued Patient E on his current medication regimen. When Patient E returned on February 26, 2010, Dr. Tauraso did not examine him, but increased the amount of "codeine" to 240 tablets from 210;

(3) Information received from the DEA revealed that on May 5, 2010, a confidential source made a controlled buy from Patient E of 10 OxyContin tablets for \$500 and observed that Dr. Tauraso's name appeared on the bottle of OxyContin from which Patient E took the tablets he sold;

(4) Patient E saw Dr. Tauraso once a month. By June 21, 2010, Dr. Tauraso had increased the amount of OxyContin and Oxycodone to 280 tablets;

(5) Dr. Tauraso prescribed and the Respondent filled on February 2, 2010 for Patient E the following: OxyContin 80 mg, 90 tabs, Alprazolam 2 mg, 30 tabs and Oxycodone 30 mg, 240 tabs;

(6) On January 25, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient E Oxycodone 30 mg, 210 tabs and OxyContin, 80 mg, 180 tabs;

(7) On March 3, 2010, the Respondent filled for Patient E the following prescriptions written by Dr. Tauraso: OxyContin 80 mg, 90 tabs and

Oxycodone 30 mg, 240 tabs;

(8) On March 24, 2010, the Respondent filled for Patient E the following prescriptions written by Dr. Tauraso: Oxycodone 30 mg, 210 tablets and OxyContin 80 mg, 90 tablets;

(9) On February 2, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient E on April 1, 2010 Alprazolam 3 mg, 30 tabs,

(10) On April 22, 2010, the Respondent filled the following prescriptions for Patient E written by Dr. Tauraso, Alprazolam 2 mg, 90 tabs, OxyContin 80 mg, 90 tabs and Oxycodone 30 mg, 150 tabs;

(11) On May 3, 2010, the Respondent filled for Patient E the following prescriptions written by Dr. Tauraso: Oxycodone 30 mg, 240 tabs, OxyContin 80 mg, 90 tabs and from a prescription written by Dr. Tauraso on February 2, 2010, Alprazolam 2 mg, 30 tabs;

(12) On May 28, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient E OxyContin 80 mg, 90 tabs and Alprazolam 2 mg, 30 tabs;

(13) On June 1, 2010, the Respondent filled the following prescription for Patient E written by Dr. Tauraso: Oxycodone 30 mg, 240 tabs.

F. With regard to Patient H²

(1) Patient H, a male born in 1982 who is from Frederick, Maryland, initially presented to Dr. Tauraso on September 13, 2009 complaining of a painful left testicle, noting that his current medication regimen was

²Not all patients of Dr. Tauraso had their prescriptions filled at Russo's Pharmacy, thus, some patients named in Dr. Tauraso's summary suspension will not be named here.

OxyContin 80 mg and Oxycodone;

(2) Dr. Tauraso initially prescribed OxyContin 40 mg, 120 tab to Patient H, but then increased the dosage to 80 mg after Patient H's first monthly visit; but failed to document the reason for the dosage increase. On October 30, 2009, 10 days after Patient H's last visit, Dr. Tauraso noted that Patient H's medications had been stolen, and he prescribed 20 days worth of OxyContin and Oxycodone for him. On November 17, 2009, Dr. Tauraso added Adderall, an amphetamine product, to Patient H's regimen, and, on December 17th, he added Klonopin, a benzodiazepine (a tranquilizer) to his medications;

(3) Dr. Tauraso noted that he had received numerous anonymous telephone calls implicating this patient as a drug dealer. "Sends patients here & later threatens them with gun to sell him their meds." DEA indicated that Patient H was arrested in or around February 2010 by the Frederick County police for selling OxyContin pills, which he told police that he obtained from Dr. Tauraso;

(4) On December 14, 2009, the Respondent filled the following prescriptions issued by Dr. Tauraso for Patient H: OxyContin 80 mg, 90 tabs and Oxycodone 30 mg, 120 tablets.

G. With regard to Patient L:

(1) Patient L, a male born in 1971 who resided in Frederick, Maryland, initially presented to Dr. Tauraso on December 28, 2009, and Dr. Tauraso noted "tender thoracic and lumbar spine" and left "sciatica." At Patient L's initial visit, Dr. Tauraso continued the regimen Patient L had reported on his

patient information sheet regarding his medication. Dr. Tauraso continued to prescribe Patient L 90 tablets of OxyContin 80 mg and 120 tablets of Oxycodone on a monthly basis through June 2010;

(2) In February 2010, a person other than Dr. Tauraso noted that Patient L had "come in way too early" and that he must "bring in meds...or be kicked out." In March 2010, Dr. Tauraso documented that Patient L had "misplaced meds last week.";

(3) On May 14, 2010, Dr. Tauraso prescribed and the Respondent dispensed for Patient L the following: Oxycodone 30 mg, 150 tabs and OxyContin 80 mg, 90 tabs;

(4) On June 11, 2010, Dr. Tauraso prescribed and the Respondent dispensed for Patient L the following: Oxycodone 30 mg, 150 tabs, Carisoprodol (a muscle relaxant) 350 mg, 80 tabs, Diazepam (a medicine to relieve anxiety) 110 mg, 120 tabs and Opana (a narcotic), 40 mg, 90 tabs;

(5) On June 11, 2010, Dr. Tauraso prescribed and the Respondent filled on July 8, 2010 the following for Patient L: Carisoprodol 350 mg, 90 tabs and Diazepam 10 mg, 120 tabs.

H. With regard to Patient P:

(1) Patient P, a male born in 1958 who resides in Frederick, Maryland, presented to Dr. Tauraso on October 27, 2009, with a history of back pain and diabetes. At the initial visit, Dr. Tauraso prescribed OxyContin 80 mg, Oxycodone 30mg and Albuterol. Patient P returned to Dr. Tauraso on December 22, 2009 and he increased Patient P's Oxycodone from four tablets a day to six a

day;

(2) Patient P saw Dr. Tauraso on a monthly basis through June 2010, and Dr. Tauraso failed to examine him at any of those visits;

(3) On January 5, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient P Oxycodone 30 mg, 90 tablets;

9. For other patients who were not a part of the patients identified in Dr. Tauraso's Summary Suspension Order, but for whom the dispensing pattern is equally alarming, the following pattern is set forth:

A. With regard to Patient T-A:

(1) Dr. Tauraso prescribed and the Respondent dispensed to this patient, who resides in Harpers Ferry, West Virginia, on September 26, 2009 Oxycodone 30, mg, 120 tabs and OxyContin 40 mg, 120 tabs;

(2) Dr. Tauraso prescribed and the Respondent dispensed to Patient T-A on November 24, 2009 Alprazolam 2 mg, 30 tabs, OxyContin 40 mg, 90 tabs and Oxycodone 30 mg, 180 tabs;

(3) Dr. Tauraso prescribed and the Respondent dispensed to Patient T-A on December 12, 2009, OxyContin 40 mg, 90 tabs and Alprazolam 2 mg, 90 tabs;

(4) Dr. Tauraso prescribed on November 24, 2009 and the Respondent dispensed to Patient T-A on December 17, 2009, Alprazolam 2 mg, 30 tabs;

(5) Dr. Tauraso prescribed and the Respondent also dispensed on December 17, 2009 to Patient T-A Oxycodone 30 mg, 126 tabs

and OxyContin 40 mg, 70 tabs;

(6) Dr. Tauraso prescribed and the Respondent dispensed on February 23, 2010 to Patient T-A Oxycodone 30 mg, 150 tabs and OxyContin 80 mg, 90 tabs;

(7) Dr. Tauraso prescribed on February 12, 2010 and the Respondent dispensed on March 11, 2010, Alprazolam 2 mg, 90 tabs. Also on March 11, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-A OxyContin 40 mg, 90 tabs and Oxycodone 30 mg, 180 tabs;

(8) Dr. Tauraso prescribed on February 12, 2010 and the Respondent dispensed on April 8, 2010 for Patient T-A Alprazolam 2 mg, 90 tabs;

(9) On April 9, 2010, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-A Oxycodone 30 mg, 180 tabs and OxyContin 40 mg, 90 tabs;

(10) On February 2, 2010, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-A on May 5, 2010 Alprazolam 2 mg, 90 tabs;

(11) On May 12, 2010, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-A Oxycodone 30 mg, 180 tabs.

B. With regard to Patient T-B:

(1) This patient is from Leesburg, Virginia;

(2) On February 19, 2010, Dr. Tauraso prescribed and the Respondent filled Oxycodone 10 mg, 120 tabs and OxyContin 80 mg, 90 tablets

for Patient T-B:

C. With regard to Patient T-C:

- (1) Patient T-C resides in Charlestown, West Virginia;
- (2) On November 20, 2009, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-C OxyContin 80 mg, 90 tabs and Oxycodone 10 mg, 180 tabs;
- (3) On December 10, 2009, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-C, OxyContin 80 mg, 90 tabs and Oxycodone 180 tabs;
- (4) On January 20, 2010, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-C Oxycodone 30 mg, 180 tabs and OxyContin 80 mg, 90 tabs;
- (5) On February 17, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-C Oxycodone 10 mg, 180 tabs and OxyContin 80 mg, 90 tabs;
- (6) On March 10, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-C Oxycodone 30 mg, 180 tabs and OxyContin 80 mg, 90 tabs;
- (7) On April 19, 2010, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-C Oxycodone 30 mg, 180 tabs and OxyContin 80 mg, 90 tabs;
- (8) On June 14, 2010, Dr. Tauraso prescribed and the

Respondent dispensed for Patient T-C Oxycodone 30 mg, 180 tabs and Hydromorphone (used to treat pain), 8mg, 120 tabs.

D. With regard to Patient T-D:

(1) This patient lives in Martinsburg, West Virginia;

(2) On November 27, 2009, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-D OxyContin 40 mg, 90 tabs;

(3) On December 23, 2009, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-D Oxycodone 30 mg, 180 tabs and OxyContin 40 mg, 90 tabs;

(4) On January 20, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-D OxyContin 40 mg, 90 tabs, Oxycodone 30 mg, 180 tabs and Alprazolam 2 mg, 60 tabs;

(5) On February 19, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-D Oxycodone 30 mg, 180 tabs and OxyContin 40 mg, 90 tabs;

(6) On April 16, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-D Oxycodone 30 mg, 240 tabs and OxyContin 30 mg, 90 tabs.

E. With regard to Patient T-E:

(1) This patient lives in Falling Waters, West Virginia;

(2) On January 6, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-E Carisoprodol 350 mg, 60 tabs, Alprazolam 2mg, 60 tabs, Oxycodone 30 mg, 90 tabs and OxyContin 80 mg, 90 tabs;

(3) On January 6, 2010, Dr. Tauraso prescribed and on February 9, 2010 the Respondent dispensed to Patient T-E Carisoprodol 35 mg, 60 tabs;

(4) On January 6, 2010, Dr. Tauraso prescribed and the Respondent dispensed on March 5, 2010 to Patient T-E Carisoprodol 350 mg, 60 tabs and Alprazolam 2mg, 60 tabs;

(5) On March 6, 2010, Dr. Tauraso prescribed and, on that same date, the Respondent dispensed to Patient T-E Oxycodone 30 mg, 180 tabs and OxyContin 80 mg, 90 tabs;

(6) On January 6, 2010, Dr. Tauraso prescribed and, on April 5, 2010, the Respondent filled for Patient T-E the Carisoprodol. On April 5, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient T-E OxyContin 80 mg, 90 tabs and Oxycodone 30 mg, 180 tabs.

F. With regard to Patient T-F:

(1) This patient resides in Martinsburg, West Virginia;

(2) On November 9, 2009, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-F Oxycodone 30 mg, 180 tabs and OxyContin 80 mg, 90 tabs;

(3) On December 14, 2009, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-F on January 14, 2010 Carisoprodol 350 mg, 90 tabs;

(4) On January 15, 2010, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-F OxyContin 80 mg, 90 tabs;

(6) On February 12, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-G Oxycodone 30 mg, 210 tabs and OxyContin 80 mg, 90 tabs.

G. With regard to Patient T-G:

(1) This patient resides in Falling Waters, West Virginia;

(2) On February 11, 2010, Dr. Tauraso prescribed and the Respondent dispensed Oxycodone 30 mg, 90 tabs and OxyContin 40 mg, 90 tabs to Patient T-G;

(3) On March 11, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-G OxyContin 40 mg, 90 tabs, Oxycodone 30 mg, 90 tabs and Amoxicillin 300 mg, 90 tabs;

(4) On April 7, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-G Oxycodone 30 mg, 90 tabs and OxyContin 40 mg, 90 tabs;

(5) On May 7, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-G Alprazolam 40 mg, 60 tabs, OxyContin 40 mg, 90 tabs and Oxycodone 10 mg, 90 tabs;

(6) On July 2, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-G Oxycodone 30 mg, 210 tabs.

H. With regard to Patient T-H:

(1) This patient lives in Rockville, Maryland;

(2) On November 5, 2009, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-H Oxycodone 30 mg, 120 tabs and

OxyContin 80 mg, 90 tabs;

(3) On December 1, 2009, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-H Oxycodone 30 mg, 120 tabs;

(4) On February 4, 2010, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-H OxyContin 80 mg, 90 tabs and Oxycodone 30 mg, 120 tabs.

I. With regard to Patient T-I:

(1) This patient resides in Millersville, Pennsylvania;

(2) On October 26, 2009, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-I OxyContin 40 mg, 84 tabs;

(3) On November 25, 2009, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-I Oxycodone 30 mg, 126 tabs and OxyContin 40 mg, 63 tabs;

(4) On December 21, 2009, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-I Oxycodone 30 mg, 126 tab and OxyContin 80 mg, 63 tabs;

(5) On January 13, 2010, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-I Oxycodone 30 mg, 126 tabs and OxyContin 40 mg, 63 tabs;

(6) On March 19, 2010, Dr. Tauraso prescribed and the Respondent dispensed Oxycodone 30 mg, 126 tabs to Patient T-I, as well as OxyContin 40 mg, 63 tabs;

(7) On April 9, 2010, Dr. Tauraso prescribed and the

Respondent dispensed to Patient T-I Oxycodone 30 mg, 126 tabs and OxyContin 40 mg, 63 tabs;

(8) On April 30, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-I Oxycodone 30 mg, 126 tabs and OxyContin 40 mg, 63 tabs.

J. With regard to Patient T-J:

(1) This patient lives in Hancock, Maryland;

(2) On November 20, 2009, Dr. Tauraso prescribed and the Respondent filled for Patient T-J OxyContin 40 mg, 90 tabs and Oxycodone 30 mg, 180 tabs;

(3) On December 18, 2009, Dr. Tauraso prescribed and the Respondent filled for Patient T-J Oxycodone 30 mg, 130 tabs and OxyContin 80 mg, 45 tabs;

(4) On January 10, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-J OxyContin 80 mg, 45 tabs and Oxycodone 30 mg, 120 tabs;

(5) On January 28, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient T-J Oxycodone 30 mg, 120 tabs;

(6) On February 16, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient T-J Oxycodone 30 mg, 120 tabs and OxyContin 80 mg, 45 tabs;

(7) On February 26, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient T-J Oxycodone 30 mg, 120 tabs and OxyContin 80

mg, 45 tabs;

(8) On March 16, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient T-J Oxycodone 30 mg, 120 tabs and OxyContin 80 mg, 45 tabs;

(9) On March 18, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient T-J Oxycodone 30 mg, 120 tabs;

(10) On March 26, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient T-J OxyContin 80 mg, 45 tabs;

(11) On April 12, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient T-J Oxycodone 30 mg, 120 tabs, OxyContin 80 mg, 90 tabs and Amphetamine salts 30 mg, 90 tabs;

(12) On April 15, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient T-J Oxycodone 30 mg, 120 tabs;

(13) On May 12, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient T-J OxyContin 80 mg, 45 tabs, Oxycodone 30 mg, 240 tabs and Amphetamine salts 30 mg, 90 tabs;

(14) On June 9, 2010, Dr. Tauraso prescribed and, on July 6, 2010, the Respondent dispensed for Patient T-J Alprazolam 2 mg, 120 tabs;

(15) On July 6, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-J Amphetamine salts 10 mg, 120 tabs and Oxycodone 30 mg, 250 tabs.

K. With regard to Patient T-K:

(1) This patient lives in Martinsburg, West Virginia;

(2) On March 4, 2010, Dr. Tauraso prescribed and the Respondent filled for Patient T-K Oxycodone 30 mg, 180 tabs and OxyContin 80 mg, 60 tabs.

L. With regard to Patient T-L:

(1) This patient lives in Falling Waters, West Virginia;

(2) On November 27, 2009, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-L OxyContin 40 mg, 90 tabs;

(3) On December 23, 2009, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-L Oxycodone 30 mg, 72 tabs and OxyContin 60 mg, 22 tabs;

(4) On January 4, 2010, Dr. Tauraso prescribed and on January 7, 2010, the Respondent dispensed to Patient T-L Methadone 10 mg, 84 tabs;

(5) On March 15, 2010, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-L Methadone 10 mg, 360 tabs and Oxycodone 30 mg, 180 tabs;

(6) On April 9, 2010, Dr. Tauraso prescribed and the Respondent dispensed for Patient T-L Methadone 10 mg, 360 tabs and Oxycodone 30 mg, 180 tabs.

M. With regard to Patient T-M:

(1) This patient lives in Harpers Ferry, West Virginia;

(2) On November 24, 2009, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-M Oxycodone 30 mg, 120 tabs, OxyContin

60 mg, 90 tabs and Alprazolam 2 mg, 120 tabs;

(3) On November 24, 2009, Dr. Tauraso prescribed and the Respondent dispensed on December 23, 2009 to Patient T-M Alprazolam 2 mg, 120 tabs. On December 23, 2009, Dr. Tauraso prescribed and the Respondent also dispensed to Patient T-M Oxycodone 30 mg, 120 tabs;

(4) On December 23, 2009, Dr. Tauraso prescribed and on January 2, 2010 the Respondent dispensed to Patient T-M OxyContin 60 mg, 63 tabs and Potassium BR (buffered medicine which helps rid the body of excess uric acid and prevents kidney stones and gout) 20 mg MSQ, 60 tabs;

(5) On January 4, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-M Diltiazem (used to treat high blood pressure and to control angina), ER 180/24 Hr CA;

(6) On January 22, 2010, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-M Alprazolam 2 mg, 120 tabs, Oxycodone 30 mg, 120 tabs, OxyContin 60 mg, 90 tabs and an Advair (for chronic bronchitis and COPD) 500/50 Diskus;

(7) On February 22, 2010, the Respondent refilled the prescription for the Advair. On that same date, Dr. Tauraso prescribed and the Respondent dispensed to Patient T-M Oxycodone 30 mg, 120 tabs, OxyContin 60 mg, 90 tabs, Alprazolam 2 mg, 120 tabs, Hydrochlorothiazide (used to treat high blood pressure and fluid retention) 25 mg, 30 tabs and Diltiazem HR, 180 mg/24 Hr CA;

(8) On March 2, 2010, the Respondent refilled Patient T-M's

Potassium.

10. In addition to filling excessive habit-forming prescriptions for Dr. Tauraso, the Respondent also filled excessive amounts of CDS drugs for Dr. Ziscovici, whose physician's practice is approximately 57 miles away from that of the Respondent's pharmacy. Dr. Ziscovici's physician's license was summarily suspended on December 1, 2010 for prescribing excessive amounts of CDS. Dr. Ziscovici treated patients from as far away as Tennessee. Several of his patients overdosed and died. He too, prescribed excessive amounts of Oxycodone, Methadone, OxyContin and Alprazolam.

A. With regard to Patient Z-A:

- (1) This patient resides in Knoxville, Tennessee;
- (2) On October 20, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-A Alprazolam 2mg, 90 tabs and Methadone 10 mg, 360 tabs;
- (3) On November 17, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-A Alprazolam 2 mg, 90 tabs and Oxycodone 30 mg, 150 tabs.

B. With regard to Patient Z-B:

- (1) This patient is from Rockville, Maryland;
- (2) On October 14, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-B Methadone 10 mg, 420 tabs.

C. With regard to Patient Z-C:

- (1) This patient resides in Hagerstown, Maryland;

(2) On October 10, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-C Atenolol (used for hypertension) 50 mg, 60 tabs, Methadone 10 mg, 300 tabs and OxyContin 80 mg, 90 tabs;

(3) On October 10, 2009, Dr. Ziscovici prescribed and the Respondent dispensed on October 21, 2009 for Patient Z-C Lisinopril (an anti-hypertensive drug) 40 mg, 30 tabs;

(4) On November 6, 2009, Dr. Ziscovici prescribed and the Respondent dispensed to Patient Z-B Vytarin (used to treat cholesterol) 10/20 mg, 30 tabs, OxyContin 60 mg, 60 tabs and Methadone 10 mg, 360 tabs;

(5) On December 8, 2010, the Respondent refilled Patient Z-C's Vytarin;

(6) On December 18, 2009, the Respondent refilled Patient Z-C's Atenolol;

(7) On December 30, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-C OxyContin 80 mg, 90 tabs and Methadone 10 mg, 300 tabs;

(8) On January 7, 2010, the Respondent refilled Patient Z-C's Vytarin;

(9) On October 10, 2009, Dr. Ziscovici prescribed and on January 25, 2010 the Respondent dispensed for Patient Z-C Lisinopril;

(10) On January 27, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-C OxyContin 80 mg, 90 tabs and Methadone 10 mg, 300 tabs;

(11) On February 5, 2010, the Respondent refilled Patient Z-C's Vytorin;

(12) On February 17, 2010, the Respondent refilled Patient Z-C's Atenolol;

(13) On February 19, 2010, Dr. Ziscovici prescribed and the Respondent dispensed Patient Z-C's Lisinopril;

(14) On February 19, 2010, Dr. Ziscovici prescribed and the Respondent dispensed on February 22, 2010 to Patient Z-C OxyContin 80 mg, 90 tabs;

(15) On March 18, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-C OxyContin 80 mg, 90 tabs, Methadone 10 mg, 300 tabs, Vytorin 10/20 mg, 30 tabs and Atenolol 50 mg, 60 tabs;

(16) On April 16, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-C OxyContin 80 mg, 90 tabs, Methadone 10 mg, 300 tabs, Vytorin 10/20 mg, 30 tabs and Atenolol 50 mg, 60 tabs;

(17) On June 9, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-C OxyContin 80 mg, 90 tabs and Methadone 10 mg, 300 tabs.

D. With regard to Patient Z-D:

(1) This patient resides in Bunker Hill, West Virginia;

(2) On March 17, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-D Bupropion (an anti-depressive drug used to help people stop smoking) 300 mg, 30 tabs, Oxycodone 30 mg, 120 tabs,

Alprazolam 2 mg, 120 tabs and OxyContin 80 mg, 60 tabs;

(3) On June 9, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-D Oxycodone 30 mg, 150 tabs, OxyContin 80 mg, 60 tabs and Atenolol.

E. With regard to Patient Z-E:

(1) This patient resides Hagerstown, Maryland;

(2) On October 2, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-E OxyContin 80 mg, 45 tabs;

(3) On October 6, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-E Oxycodone 30 mg, 120 tabs, OxyContin 80 mg, 60 tabs and Methadone 10 mg, 300 tabs;

(4) On October 7, 2009, Dr. Ziscovici prescribed and the Respondent dispensed on October 28, 2009 for Patient Z-E Methadone 10 mg, 300 tabs;

(5) On December 16, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-E Oxycodone 30 mg, 90 tabs;

(6) On March 1, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-E OxyContin 80 mg, 45 tabs;

(7) On February 27, 2010, Dr. Ziscovici prescribed and the Respondent dispensed on March 11, 2010 for Patient Z-E OxyContin 80 mg, 45 tabs;

(8) On May 18, 2010, Dr. Ziscovici prescribed and the Respondent dispensed on May 19, 2010 for Patient Z-E OxyContin 80 mg, 60

tabs;

(9) On June 9, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-E Alprazolam 2mg, 90 tabs, Methadone 10 mg, 420 tabs and OxyContin 60 mg, 60 tabs;

(10) On July 7, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-E Alprazolam 2mg, 60 tabs, Methadone 10 mg, 360 tabs and OxyContin 60 mg, 20 tabs;

(11) On July 28, 2010, Dr. Ziscovici prescribed and the Respondent dispensed on August 2, 2010 for Patient Z-E OxyContin 60 mg, 60 tabs;

(12) On July 19, 2010, Dr. Ziscovici prescribed and the Respondent dispensed on August 18, 2010 for Patient Z-E Alprazolam 2mg, 40 tabs;

(13) On September 21, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-E Methadone 10 mg, 420 tabs, Oxycodone 30 mg, 90 tabs, Solider (a drug used for treatment of insomnia) 10 mg, 30 tabs and Atenolol.

F. With regard to Patient Z-F:

(1) This patient resides in Knoxville, Tennessee;

(2) On October 20, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-F Methadone 10 mg, 360 tabs, Oxycodone 30 mg, 160 tabs and Alprazolam 2 mg, 60 tabs;

(3) On November 17, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-F Methadone 10 mg, 360 tabs, Oxycodone 30 mg, 180 tabs, and Alprazolam 2 mg, 60 tabs.

G. With regard to Patient Z-G:

(1) This patient resides in Rockville, Maryland;

(2) On October 14, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-G Methadone 10 mg, 160 tabs, Oxycodone 30 mg, 90 tabs and Alprazolam 2 mg, 90 tabs.

H. With regard to Patient Z-H:

(1) This patient resides in Hagerstown, Maryland;

(2) On October 9, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-H Methadone 10 mg, 420 tabs and Alprazolam 2 mg, 120 tabs.

I. With regard to Patient Z-I:

(1) This patient resides in Hagerstown, Maryland;

(2) On October 6, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-I Methadone 10 mg, 420 tabs, Oxycodone 30 mg, 190 tabs and Alprazolam 2 mg, 90 tabs.

J. With regard to Patient Z-J:

(1) This patient lives in Knoxville, Tennessee;

(2) On October 14, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-J Methadone 10 mg, 300 tabs, Oxycodone 30 mg, 150 tabs and Alprazolam 2 mg, 90 tabs.

K. With regard to Patient Z-K:

(1) This patient resides in Hagerstown, Maryland;

(2) On December 2, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient J-K OxyContin 80 mg, 90 tabs, Methadone 10 mg, 180 and Opana ER 40 mg, 60 tabs;

(3) On December 10, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient J-K Methadone 10 mg, 150 tabs, Oxycodone 30 mg, 60 tabs, Opana ER 40 mg, 60 tabs, OxyContin 80 mg, 90 tabs and Methadone 10 mg, 480 tabs;

(4) On December 30, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient J-K Methadone 10 mg, 150 tabs, Oxycodone/APAP 7.5/125, 60 tabs, and Opana ER 40 mg, 60 tabs;

(5) On January 26, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient J-K OxyContin 80 mg, 90 tabs, Methadone 10 mg, 150 tabs, Opana ER 40 mg, 60 tabs and Oxycodone/APAP 7.5/125, 60 tabs;

(6) On February 20, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient J-K Oxycodone/APAP 7.5/125, 60 tabs, Opana ER 40 mg, 60 tabs, OxyContin 80 mg, 90 tabs and Methadone, 10 mg, 180 tabs;

(7) On March 19, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient J-K Methadone, 10 mg, 240 tabs, OxyContin 80 mg, 90 tabs, Nabumetone (a drug that reduces hormones that cause inflammation and pain in the body) 500 mg, 60 tabs, and Oxycodone/APAP

7.5/125, 60 tabs;

L. With regard to Patient Z-L:

(1) This patient resides in Falling Waters, West Virginia;

(2) On February 15, 2010, Dr. Ziscovici prescribed and the

Respondent dispensed for Patient Z-L Alprazolam 2 mg, 60 tabs;

(3) On March 15, 2010, Dr. Ziscovici prescribed and the

Respondent dispensed for Patient Z-L OxyContin 50 mg, 60 tabs and

Nabumetone (a drug used to treat pain from rheumatoid arthritis) 500 mg, 60 tabs.

M. With regard to Patient Z-M:

(1) This patient resides in Knoxville, Tennessee;

(2) On October 27, 2009, Dr. Ziscovici prescribed and the

Respondent dispensed for Patient Z-M Methadone 10 mg, 320 tabs, and

Oxycodone 30 mg, 180 tabs.

N. With regard to Patient Z-N:

(1) This patient resides in Falling Waters, West Virginia;

(2) On February 3, 2010, Dr. Ziscovici prescribed and the

Respondent dispensed for Patient Z-N Methadone 10 mg, 300 tabs and

Oxycodone 30 mg, 180 tabs.

O. With regard to Patient Z-O:

(1) This patient lives in Hagerstown, Maryland;

(2) On November 24, 2009, Dr. Ziscovici prescribed and the

Respondent dispensed for Patient Z-O Carisoprodol 350 mg, 90 tabs,
Gabapentin (used to treat some types of seizures and shingles) 300 mg, 60 tabs,
Oxycodone 30 mg, 40 tabs, Methadone 10 mg, 420 tabs and OxyContin 80 mg,
90 tabs;

(3) On December 22, 2009, Dr. Ziscovici prescribed and the
Respondent dispensed for Patient Z-O Oxycodone 30 mg, 120 tabs, Alprazolam
2 mg, 60 tabs, Methadone 10 mg, 420 tabs, OxyContin 80 mg, 90 tabs and
Strovite (a multi-vitamin and mineral);

(4) On January 21, 2010, Dr. Ziscovici prescribed and the
Respondent dispensed for Patient Z-O Oxycodone 30 mg, 120 tabs, Alprazolam
2 mg, 60 tabs and Methadone 10 mg, 420 tabs;

(5) On May 19, 2010, Dr. Ziscovici prescribed and the
Respondent dispensed for Patient Z-O Oxycodone 30 mg, 180 tabs, OxyContin
80 mg, 60 tabs and Methadone 10 mg, 360 tabs;

(6) On May 18, 2010, Dr. Ziscovici prescribed and the
Respondent dispensed for Patient Z-O on June 7, 2010, Oxycodone 15 mg, 60
tabs;

(7) On June 15, 2010, Dr. Ziscovici prescribed and the
Respondent dispensed for Patient Z-O Oxycodone 30 mg, 180 tabs, OxyContin
80 mg, 60 tabs, Methadone 10 mg, 360 tabs and Ventolin HFA 200 (a rescue
inhaler for asthma);

(8) On July 3, 2010, Dr. Ziscovici prescribed and the
Respondent dispensed for Patient Z-O Oxycodone 15 mg, 60 tabs and

Arithromycin (an antibiotic);

(9) On July 8, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-O Oxycodone 30 mg, 180 tabs, Methadone 10 mg, 420 tabs and OxyContin 80 mg, 60 tabs;

(10) On August 7, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-O Alprazolam 2 mg, 40 tabs, Methadone 10 mg, 420 tabs, Oxycodone 30 mg, 180 tabs and OxyContin 80 mg, 60 tabs.

P. With regard to Patient Z-P:

(1) This patient resides in Knoxville, Tennessee;

(2) On October 27, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-P Methadone 10 mg, 420 tabs, Alprazolam 2mg, 90 tabs and Oxycodone 30 mg, 150 tabs;

(3) On November 24, 2010, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-P Methadone 10 mg, 420 tabs, Alprazolam 2mg, 90 tabs and Oxycodone 30 mg, 180 tabs.

Q. With regard to Patient Z-Q:

(1) This patient lives in Shippensburg, Pennsylvania;

(2) On October 15, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-Q Methadone 10 mg, 360 tabs, Alprazolam 2mg, 90 tabs and Oxycodone 30 mg, 180 tabs;

(3) On November 12, 2009, Dr. Ziscovici prescribed and the Respondent dispensed for Patient Z-Q, Methadone 10 mg, 360 tabs, Alprazolam 2mg, 90 tabs and Oxycodone 30 mg, 120 tabs.

R. With regard to Patient Z-R:

(1) This patient lives in Hagerstown, Maryland;

(2) On October 6, 2009, Dr. Ziscovici prescribed and the Respondent dispensed to Patient Z-R Methadone 10 mg, 420 tabs, Oxycodone 30 mg, 190 tabs and Methylphenidate (used to treat ADD and ADHD) 20 mg, 180 tabs;

(3) On November 1, 2009, Dr. Ziscovici prescribed and the Respondent dispensed to Patient Z-R Methadone 10 mg, 480 tabs, Alprazolam 2mg, 120 tabs and Methylphenidate 20 mg, 180 tabs;

(4) On December 1, 2009, Dr. Ziscovici prescribed and the Respondent dispensed to Patient Z-R Methadone 10 mg, 480 tabs, Alprazolam 2 mg, 120 tabs and Oxycodone 30 mg, 180 tabs;

(5) On December 29, 2009, Dr. Ziscovici prescribed, and on December 30, 2009, the Respondent dispensed to Patient Z-R Alprazolam, 2 mg, 120 tabs, Oxycodone 30 mg, 120 tabs and Methylphenidate 20 mg, 180 tabs;

(6) On March 26, 2010, Dr. Ziscovici prescribed, and the Respondent dispensed to Patient Z-R Methadone, 10 mg, 480 tabs, Methylphenidate 20 mg, 180 tabs and Alprazolam, 2 mg, 120 tabs.

12. Between July 1, 2009 and July 21, 2010, the Respondent dispensed approximately 193,000 tablets prescribed by Dr. Ziscovici

13. As set forth above, the Respondent's dispensing of thousands of

habit-forming CDS to apparently healthy, (mostly) young men who paid cash for same is a blatant disregard of the corresponding liability expected of pharmacists and poses a threat to the public health, safety or welfare.

14. On December 15, 2010, in furtherance of an ongoing investigation, the DEA executed a search and seizure warrant of Respondent's pharmacy for prescription records, computer files, etc.

15. Respondent has the corresponding responsibility with the physician to ensure that all prescriptions dispensed are for a medically legitimate purpose, and the respondent failed to fulfill this duty by dispensing inappropriately large amounts of CDS prescribed by doctors known to engage in suspicious subscribing patterns.

16. The respondent knew or should have known that prescriptions for CDS in the large quantities or combinations thereof described above and paid for in cash were not for a legitimate medical purpose or being submitted by potential drug seekers.

CONCLUSIONS OF LAW

Based on the foregoing, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to Md. St. Gov't. Code Ann. §10-226(c) (2) (2009 Repl. Vol.).

ORDER

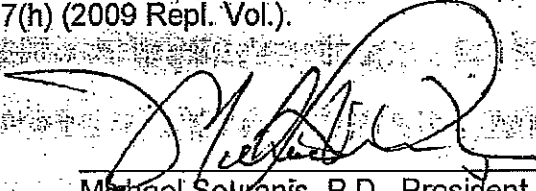
Based on the foregoing, it is therefore this 22nd day of December

2010, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted by the Board by Md. St. Govt. Code Ann. § 10-226(c) (2) (2009 Repl. Vol.), the license held by the Respondent to practice pharmacy in Maryland, License No. 09176, is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED, that the Respondent shall immediately turn over to the Board his wall certificate and wallet-sized license to practice pharmacy issued by the Board; and be it further

ORDERED, that the Respondent shall not work as a Pharmacy Technician during the time that he is summarily suspended; and be it further

ORDERED, that this document constitutes a final Order of the Board and is therefore a public document for purposes of public disclosure, as required by Md. State Gov't Code Ann. §10-617(h) (2009 Repl. Vol.).



Michael Souranis, P.D., President of the Board of Pharmacy

NOTICE OF HEARING

A non-evidentiary Show Cause hearing to determine whether to continue the summary suspension of Respondent's license will be held before the Board at 4201 Patterson Avenue, Baltimore, 21215 on Wednesday, January 5, 2011 at 10:00 a.m.